IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLIATION NO.762 OF 2005
IN
CRIMINAL APPEAL NO. 578 OF 2004

Lalita Nandakumar Patil ...Applicant.

V/s

State of Maharashtra ...Respondent.

Mr. J. Shekhar i/b J. Shekhar & Co. for the applicant.

Mr. A.M. Shringarpure, APP for the State.

CORAM: V.M.KANADE,J.
DATE: 11th April, 2005

P.C.

1. The learned Counsel Shri Pratap Patil submits that the applicant has taken away papers from him and has already appointed another advocate. He is therefore discharged from appearing on behalf of the applicant/appelant in the Criminal Application and in Appeal.

2. Heard the learned Counsel for the applicant and the learned APP for the State.

3. Applicant is convicted by the Trial Court for an offence punishable under section 304 Part I of the Indian Penal Code and is sentenced to suffer R.I. for seven years.

4. Prosecution case is that the complainant entered the house of the accused, applicant herein and tried to persuade her to go alongwith him. Applicant is a married lady. She refused to go alongwith the complainant. It is alleged that the complainant tried to forcibly remove her from her house at which point of time the applicant went to the kitchen. Initially, she put chilly powder in the eyes of the complainant and, thereafter, assaulted him with a sickle.

5. Considering these peculiar facts and circumstances of the case and also considering the fact that the applicant is a lady aged 33 years, this is a fit case for grant of bail. Applicant be released on bail in the sum of Rs 5000/- with one or two sureties in the like amount.

V.M. KANADE, J.